

LATHAM & WATKINS LLP

Andrew Clubok (*pro hac vice*)
Sarah Tomkowiak (*pro hac vice*)
555 Eleventh Street, NW, Suite 1000
Washington, District of Columbia 20004
Telephone: (202) 637-2200

Jeffrey E. Bjork (*pro hac vice*)
Kimberly A. Posin (*pro hac vice*)
355 South Grand Avenue, Suite 100
Los Angeles, CA 90071
Telephone: (213) 485-1234

Kathryn George (*pro hac vice*)
330 North Wabash Avenue, Suite 2800
Chicago, IL 60611
Telephone: (312) 876-7700

*Counsel for UBS Securities LLC and UBS
AG London Branch*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re	§	Chapter 11
HIGHLAND CAPITAL MANAGEMENT, L.P., ¹	§	Case No. 19-34054-sgj11
Debtor.	§	
UBS SECURITIES LLC AND UBS AG	§	Adversary Proceeding
LONDON BRANCH,	§	
Plaintiffs,	§	No. 21-03020
vs.	§	
HIGHLAND CAPITAL MANAGEMENT, L.P.,	§	
Defendant.	§	

¹ The Debtor's last four digits of its taxpayer identification number are (6725). The headquarters and service address for the above-captioned Debtor is 300 Crescent Court, Suite 700, Dallas, TX 75201.

APPENDIX OF EXHIBITS IN SUPPORT OF PLAINTIFFS' MOTION TO COMPEL AND RESPONSE TO MOTION OF FORMER EMPLOYEES TO QUASH SUBPOENAS

Plaintiffs UBS Securities LLC and UBS AG London Branch (together “UBS”), by and through their undersigned counsel, submit this appendix of exhibits (the “Appendix”) in support of *Plaintiffs’ Motion to Compel and Response to Motion of Former Employees to Quash Subpoenas*, filed concurrently herewith. The following exhibits are attached to this Appendix:

Ex. No.	Description	App. No.
A	Declaration of Sarah A. Tomkowiak in Support of Plaintiffs’ Motion to Compel and Response to Motion of Former Employees to Quash Subpoenas	UBSMTC001-07
1	Exhibit 1 to the Tomkowiak Declaration: April 2, 2021 UBS Document and Deposition Notices and Subpoenas for Scott Ellington	UBSMTC008-31
2	Exhibit 2 to the Tomkowiak Declaration: April 2, 2021 UBS Document and Deposition Notices and Subpoenas for Isaac Leventon	UBSMTC032-55
3	Exhibit 3 to the Tomkowiak Declaration: April 2, 2021 UBS Document and Deposition Notices and Subpoenas for Matthew DiOrio	UBSMTC056-79
4	Exhibit 4 to the Tomkowiak Declaration: April 2, 2021 UBS Document and Deposition Notices and Subpoenas for Jean Paul Sevilla	UBSMTC080-103
5	Exhibit 5 to the Tomkowiak Declaration: April 2, 2021 UBS Document and Deposition Notices and Subpoenas for Mary Kathryn Lucas	UBSMTC104-27
6	Exhibit 6 to the Tomkowiak Declaration: March 30, 2021 to April 7, 2021 Email Exchange between Robert Allen of Latham & Watkins LLP and Michael P. Hutchens of Whitaker Chalk Swindle & Schwartz, PLLC, counsel for Mary Kathryn Lucas and Matthew DiOrio in the Underlying Bankruptcy Proceeding, with the Subject, “RE: Document Preservation Notice”	UBSMTC128-32
7	Exhibit 7 to the Tomkowiak Declaration: April 5, 2021 Email from Robert Allen to Tom Melsheimer of Winston & Strawn LLP, Counsel for Jean Paul Sevilla in the Underlying Bankruptcy Proceeding, with the Subject, “Notices and Subpoenas to Mr. Jean Paul Sevilla”	UBSMTC133-34

Ex. No.	Description	App. No.
8	Exhibit 8 to the Tomkowiak Declaration: April 5, 2021 Email from Robert Allen to Michelle Hartmann and Debra Dandeneau of Baker & McKenzie LLP, Counsel for Scott Ellington and Isaac Leventon, with the Subject, "Notices and Subpoenas to Mr. Scott Ellington and Mr. Isaac Leventon"	UBSMTC135-36
9	Exhibit 9 to the Tomkowiak Declaration: April 8, 2021 Email from Katie Zinecker of Baker & McKenzie LLP to Counsel for UBS, with the subject, "Adv. Proc. No. 21-03020-s gj, UBS Securities LLC and UBS AG London Branch v. Highland Capital Management, L.P."	UBSMTC137-39
10	Exhibit 10 to the Tomkowiak Declaration: April 15, 2021 UBS Amended Document and Deposition Notices and Subpoenas for Scott Ellington	UBSMTC140-61
11	Exhibit 11 to the Tomkowiak Declaration: April 15, 2021 UBS Amended Document and Deposition Notices and Subpoenas for Isaac Leventon	UBSMTC162-83
12	Exhibit 12 to the Tomkowiak Declaration: April 15, 2021 UBS Amended Document and Deposition Notices and Subpoenas for Matthew DiOrio	UBSMTC184-205
13	Exhibit 13 to the Tomkowiak Declaration: April 15, 2021 UBS Amended Document and Deposition Notices and Subpoenas for Jean Paul Sevilla	UBSMTC206-27
14	Exhibit 14 to the Tomkowiak Declaration: April 15, 2021 UBS Amended Document and Deposition Notices and Subpoenas for Mary Kathryn Lucas	UBSMTC228-49
15	Exhibit 15 to the Tomkowiak Declaration: April 15, 2021 Email from Robert Allen to Isaac Leventon, with the Subject, "Notices and Subpoenas"	UBSMTC250-51
16	Exhibit 16 to the Tomkowiak Declaration: April 16 to April 19, 2021 Email Exchange between Frances Smith of Ross & Smith, PC, Counsel for the Former Employees, and Counsel for UBS, with the Subject, "RE: Notices and Subpoenas"	UBSMTC252-57
17	Exhibit 17 to the Tomkowiak Declaration: April 20, 2021 Letter from Frances Smith to Counsel for UBS	UBSMTC258-60

Ex. No.	Description	App. No.
18	Exhibit 18 to the Tomkowiak Declaration: April 21, 2021 Letter from Frances Smith to Counsel for UBS	UBSMTC261-71
19	Exhibit 19 to the Tomkowiak Declaration: April 21, 2021 to May 12, 2021 Email Exchange between Counsel for the Former Employees and Counsel for UBS, with the subject, "RE: Adv. Proc. No. 21-03020-s gj; UBS Securities LLC and UBS AG London Branch v. Highland Capital Management, L.P."	UBSMTC272-88
20	Exhibit 20 to the Tomkowiak Declaration: April 22, 2021 Letter from Sarah Tomkowiak to Counsel for the Former Employees	UBSMTC289-92
21	Exhibit 21 to the Tomkowiak Declaration: May 8, 2021 Email from Robert Allen to Counsel for the Former Employees, with the Subject, "RE: Adv. Proc. No. 21-03020-s gj; UBS Securities LLC and UBS AG London Branch v. Highland Capital Management, L.P."	UBSMTC293-306
22	Exhibit 22 to the Tomkowiak Declaration: May 11, 2021 email from Robert Allen to Counsel for the Former employees, with the subject, "RE: Adv. Proc. No. 21-03020-s gj; UBS Securities LLC and UBS AG London Branch v. Highland Capital Management, L.P."	UBSMTC307-22
23	Exhibit 23 to the Tomkowiak Declaration: May 15 to May 20, 2021 Email Exchange between Eric Soderlund and Counsel for UBS, with the subject, "Highland Adversary 21-03020: Motion to Quash Subpoenas"	UBSMTC323-28
24	Exhibit 24 to the Tomkowiak Declaration: Affidavits of Attempted Service Prepared by Process Servers for Serving by Irving, Inc.	UBSMTC329-49
25	Exhibit 25 to the Tomkowiak Declaration: Excerpts of the Transcript of the April 28, 2021 Hearing on James Dondero's Motion for Protective Order and Motion to Modify Order Granting Leave to File Under Seal and UBS's Motion for Order Authorizing Alternative Service of Subpoena	UBSMTC350-65

DATED this 20th day of May, 2021.

LATHAM & WATKINS LLP

By /s/ Andrew Clubok

Andrew Clubok (*pro hac vice*)
Sarah Tomkowiak (*pro hac vice*)
555 Eleventh Street, NW, Suite 1000
Washington, District of Columbia 20004
Telephone: (202) 637-2200
Email: andrew.clubok@lw.com
sarah.tomkowiak@lw.com

Jeffrey E. Bjork (*pro hac vice*)
Kimberly A. Posin (*pro hac vice*)
355 South Grand Avenue, Suite 100
Los Angeles, CA 90071
Telephone: (213) 485-1234
Email: jeff.bjork@lw.com
kim.posin@lw.com

Kathryn George (*pro hac vice*)
330 North Wabash Avenue, Suite 2800
Chicago, IL 60611
Telephone: (312) 876-7700
Email: kathryn.george@lw.com

BUTLER SNOW LLP

Martin Sosland (TX Bar No. 18855645)
Candice M. Carson (TX Bar No. 24074006)
2911 Turtle Creek Boulevard, Suite 1400
Dallas, Texas 75219
Telephone: (469) 680-5502
E-mail: martin.sosland@butlersnow.com
candice.carson@butlersnow.com

*Counsel for UBS Securities LLC and UBS
AG London Branch*